

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

VICTOR HUGO CUELLAR, ) Case No. CV 06-2814 VBF(JC)  
Petitioner, ) (PROPOSED)  
v. ) ORDER ADOPTING FINDINGS,  
MIKE EVANS, Warden, ) CONCLUSIONS, AND  
Respondent. ) RECOMMENDATIONS OF  
                                  ) UNITED STATES MAGISTRATE  
                                  ) JUDGE

---

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of Habeas Corpus by a Person in State Custody (the “Petition”) and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge (“Report and Recommendation”), and petitioner’s objections to the Report and Recommendation (“Objections”). The Court has further made a *de novo* determination of those portions of the Report and Recommendation to which objection is made. The Court concurs with and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge and overrules the Objections.

IT IS ORDERED that Judgment be entered denying the Petition and dismissing this action with prejudice.

///

///

1 IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the  
2 United States Magistrate Judge's Report and Recommendation, and the Judgment  
3 herein on petitioner and counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.  
5

6 DATED: March 4, 2010

7   
8

9 HONORABLE VALERIE BAKER FAIRBANK  
10 UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28